

NOV 30 2004

001/003

11/30/04 15:42 FAX 505 665 4424

GENERAL LAW



Ideas that Change the World

P.O. Box 1663, LC/IP, MS A187
Los Alamos, NM 87545
(505) 667-3766
Fax: (505) 665-4424

FAX TRANSMISSION COVER SHEET

Date: November 30, 2004

To: Notice of Appeal
US Patent and Trademark Office

Phone:
Fax: (703) 872-9307

From: Samuel L. Borkowsky
LC/IP

Phone: (505) 665-3111
Fax: (505) 665-4424

Re: 09/859,701
S-94,861
Benjamin P. Warner

Sender: Karen Y. Mlkus

**YOU SHOULD RECEIVE (3) PAGES, INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (505) 665-1684.**

Comments:

Included in this facsimile transmittal are the following documents for filing in the above-identified patent application:

Notice of Appeal From The Examiner

Fee Payments Authorized: \$ 655.00

IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE UNITED STATES POSTAL SERVICES. THANK YOU.

UNCLASSIFIED

RECEIVED
CENTRAL FAX CENTER

NOV 30 2004

Rev. 03/05/04

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) S-94,661	
<input checked="" type="checkbox"/> I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office Tech. Center #1600 Facsimile No.: (703) 872-9307 .		In re Application of Benjamin P. Warner	
Signature <u>Samuel L. Borkowsky</u>		Application Number 09/859,701	Filed May 16, 2001
Date <u>November 30, 2004</u>		For METHOD FOR DETECTING BINDING EVENTS USING MICRO-X-RAY FLUORESCENCE SPECTROMETRY	
Typed or Printed Name: <u>Samuel L. Borkowsky</u>		Group Art Unit 1641	Examiner Deborah A. Davis
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		<u>\$330.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$165.00</u>			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit overpayment to Deposit Account No. <u>12-2150</u> . I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) or fee transmittal is enclosed.			
<input checked="" type="checkbox"/> I am the attorney/agent of record. Registration Number: 42,346			
Signature <u>Samuel L. Borkowsky</u>			
<u>Samuel L. Borkowsky</u> Typed or printed name			
<u>(505)-665-3111</u> Telephone number			
<u>November 30, 2004</u> Date			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.			
<input checked="" type="checkbox"/> Total of <u>1</u> form is submitted			